DATE MAILED: November 17, 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jose BOYER, et al.

Appl. No. 10/814,007

Filed: March 30, 2004

For: COMPOSITION AND METHOD FOR INHIBITING PLATELET AGGREGATION

Art Unit: 1623

Examiner: Lewis, Patrick T.

Atty. Docket: 03678.0064.CPUS02

Confirmation No.: 6051

## **Supplemental Information Disclosure Statement**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- □ 1. This Information Disclosure Statement is being filed;
  - □ a. Within three months of the U.S. filing date of a national application other than a continued prosecution application under §1.53(d);
  - □ b. Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
  - □ c. Before the mailing date of a first Office Action on the merits;
  - □ d. Before the mailing of a first Office Action after filing of a request for continued examination under § 1.115.

No statement under 37 C.F.R. § 1.97(e) or fee is required.

or;

- 2. This Information Disclosure Statement is being filed after the period specified in paragraph 1(a)-1(d) above, but before the mailing date of a Final Rejection or Notice of Allowance, or action that otherwise closes prosecution in the application, and
  - a. I hereby state that each item of information contained in this Information

    Disclosure Statement was first cited in any communication from a

    foreign patent office in a counterpart foreign application not more
    than three months prior to the filing of this Information Disclosure

    Statement. 37 C.F.R. § 1.97(e)(1), or

- □ b. I hereby state that no item of information in this Information Disclosure

  Statement was cited in a communication from a foreign patent
  office in a counterpart foreign application, and, to my knowledge
  after making reasonable inquiry, no item of information contained
  in this Information Disclosure Statement was known to any
  individual designated in 37 C.F.R. § 1.56(c) more than three
  months prior to the filing of this Information Disclosure Statement.

  37 C.F.R. § 1.97(e)(2), or
- □ c. The U.S. Patent and Trademark Office is hereby authorized to charge our Deposit Account No. 08-3038 the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p), referencing docket number
- □ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. Attached is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(i), and
  - □ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
  - □ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- 4 - Attorney Docket No. 03678.0064.CPUS02 Appl. No. 10/814,007

□ 4.	Relevance of the non-English language document(s) is discussed in the present
	specification.
<b>□</b> 5.	The document(s) was/were cited in a corresponding foreign application. An
	English language version of the foreign search report is attached for the
	Examiner's information.
<b>□</b> 6.	A concise explanation of the relevance of the non-English language document(s)
	appears below:
<b>7</b> .	The Examiner's attention is directed to co-pending U.S. Patent Application No.
	, filed, which is directed to related technical subject
	matter. The identification of this U.S. Patent Application is not to be
	construed as a waiver of secrecy as to that application now or upon
	issuance of the present application as a patent. The Examiner is
	respectfully requested to consider the cited application and the art cited
	therein during examination.
□ 8.	Copies of the documents were cited by or submitted to the Office in Application
	No, filed, which is relied upon for an earlier
	filing date under 35 U.S.C. § 120. Thus, copies of these documents are
	not attached. 37 C.F.R. § 1.98(d).
	It is respectfully requested that the Examiner initial and return a copy of the
enclos	ed PTO-1449, and to indicate in the official file wrapper of this patent application
	e documents have been considered.
	The U.S. Patent and Trademark Office is hereby authorized to charge any fee
deficie	ency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing
	number 03678.0064.CPUS02.
	Respectfully submitted,
	(),1,2
Date:	November 17, 2005  Viola T. Kung (Reg. No. 41,131)
	REY LLP
2941 F	Fairview Park Drive

2941 Fairview Park Drive Box 7 Falls Church, VA 22042 Ph. (650) 463-8181

Sheet	1	of	1

## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

## **PTO FORM 1449**

ATTY, DOCKET NO.	APPLICATION NO.			
03678.0064.CPUS02	10/814,007			
APPLICANT				
Jose L. BOYER, et al.				
FILING DATE	GROUP			
30 March 2004	1623			

MOV 1 7 2005

			U.S. PATE	NT DOCUMENTS					
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	s	UBCLASS	FILING DATE	
	1.								
	2.								
1	3.					<u> </u>			
	4.							_	
	1	Ţ	FOREIGN PA	TENT DOCUMENTS			T		
*EXAMINER		DOCUMENT NUMBER	DATE	COUNTRY		CLASS		TRANSLATION	
INITIAL	ļ			w				YES	NO
	5.	WO 02/16381 A2	28.02.2002	РСТ		C07H	19/00	х	
	6.								
	7.								
	8.								
		(Includi		REFERENCES , Date, Pertinent Page	es, Etc.)				
	9.				<del>-</del>	, <u></u>	-"		
	10.		_						
	11.								
<del>,</del> .	12.								-
	13.								_
	14.								
	15.								
	16.								
	17.								_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.